

**U.S. District Court
Northern District of Texas (Dallas)
CIVIL DOCKET FOR CASE #: 3:16-cv-02911-B-BK**

Rutila v. United States Department of Transportation et al
Assigned to: Judge Jane J. Boyle
Referred to: Magistrate Judge Renee Harris Toliver
Cause: 05:552 Freedom of Information Act

Date Filed: 10/17/2016
Jury Demand: None
Nature of Suit: 895 Other Statutes:
Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Harold Edward Rutila, IV**

represented by **Harold Edward Rutila, IV**
12498 Woodhull LNDG
Fenton, MI 48430
810-845-3497
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PRO SE

V.

Defendant**United States Department of
Transportation**

represented by **Mary M. Watkins Cherry-DOJ**
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Email: mary.cherry@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Federal Aviation Administration**

represented by **Mary M. Watkins Cherry-DOJ**
(See above for address)
LEAD ATTORNEY
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Mediator**ADR Provider**

represented by **Paul L Salzberger**
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Date Filed	#	Docket Text
10/17/2016	<u>1</u>	New Case Notes: A filing fee has been paid, receipt # 94801. Case received over counter/electronically. No prior sanctions found. (For court use only – links to the <u>national</u> and <u>circuit</u> indexes.) Pursuant to Misc. Order 6, Plaintiff is provided the Notice of Right to Consent to Proceed Before A U.S. Magistrate Judge (Judge Toliver). Clerk to provide copy to plaintiff if not received electronically. (epm) Modified on 10/17/2016 (epm). (Entered: 10/17/2016)

10/17/2016	<u>2</u>	Notice and Instruction to Pro Se Party. (epm) (Entered: 10/17/2016)
10/17/2016	<u>3</u>	COMPLAINT against Federal Aviation Administration, United States Department of Transportation filed by Harold Edward Rutila, IV. (Filing fee \$400; Receipt number 94801) Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: Attorney Information – Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (epm) (Entered: 10/17/2016)
10/17/2016	<u>4</u>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by Harold Edward Rutila, IV. (epm) (Entered: 10/17/2016)
10/17/2016	<u>5</u>	Summons Issued as to All Defendants. (epm) (Entered: 10/17/2016)
10/17/2016		***Clerk's Notice of delivery: (see NEF for details) Docket No:1,2. Mon Oct 17 15:54:00 CDT 2016 (crt) (Entered: 10/17/2016)
10/18/2016	<u>6</u>	NOTICE of Change of Address for Pro Se litigant Harold Edward Rutila, IV. New address: 2255 Arkansas Lane Apt # 3311 Grand Prairie, TX 75052. (Rutila, Harold) (Entered: 10/18/2016)
10/22/2016	<u>7</u>	AMENDED COMPLAINT AND NOTICE OF FIRST AMENDED COMPLAINT against All Defendants filed by Harold Edward Rutila, IV. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: Attorney Information – Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Attachments: # <u>1</u> Exhibit(s) First Amended Complaint for Injunctive Relief, # <u>2</u> Exhibit(s) 1–40) (Rutila, Harold) (Entered: 10/22/2016)
10/26/2016	<u>8</u>	SUMMONS Returned Executed as to Federal Aviation Administration, served on 10/24/2016; United States Department of Transportation, served on 10/24/2016 . (Attachments: # <u>1</u> Exhibit(s) USPS Confirmation) (Rutila, Harold) Modified text on 10/27/2016 (rekc). (Entered: 10/26/2016)
10/26/2016	<u>9</u>	CERTIFICATE OF SERVICE by Harold Edward Rutila, IV re <u>7</u> Amended Complaint,, <i>NOTICE OF FIRST AMENDED COMPLAINT FOR INJUNCTIVE RELIEF Served Upon All Federal Defendants, Civil Process Clerk for the Northern District of Texas (Dallas Division), Attorney General of the U.S. Service completed 10/26/2016.</i> (Attachments: # <u>1</u> Exhibit(s) USPS Proof) (Rutila, Harold) (Entered: 10/26/2016)
10/28/2016	<u>10</u>	Mail returned as undeliverable. <u>2</u> Notice and Instruction to Pro Se Party, <u>1</u> New Case/QC, received back from Harold Edward Rutila, IV as RTS–No such number. Address updated from last filed document, <u>6</u> . New address: 2255 Arkansas Lane Apt # 3311 Grand Prairie, TX 75052. The current document has been ReNEF, plaintiff provided email address. (epm) Modified on 10/28/2016 (epm). (Entered: 10/28/2016)
11/16/2016	<u>11</u>	ANSWER to <u>7</u> Amended Complaint,, filed by Federal Aviation Administration, United States Department of Transportation. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: Attorney Information – Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. Attorney Marti M Watkins Cherry–DOJ added to party Federal Aviation Administration(pty:dft), Attorney Marti M Watkins Cherry–DOJ added to party United States Department of Transportation(pty:dft) (Cherry–DOJ, Marti) (Entered: 11/16/2016)
11/16/2016	<u>12</u>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by Federal Aviation Administration, United States Department of Transportation. (Cherry–DOJ, Marti) (Entered: 11/16/2016)
11/17/2016	<u>13</u>	STATUS REPORT ORDER: Joint Status Report due by 12/16/2016. (Ordered by Judge Jane J Boyle on 11/17/2016) (sss) (Entered: 11/17/2016)

12/15/2016	<u>14</u>	Joint STATUS REPORT filed by Federal Aviation Administration, United States Department of Transportation. (Cherry-DOJ, Marti) (Entered: 12/15/2016)
12/16/2016	<u>15</u>	Unopposed MOTION to Extend Time Initial Disclosure Deadline filed by Federal Aviation Administration, United States Department of Transportation (Cherry-DOJ, Marti) (Entered: 12/16/2016)
12/16/2016	<u>16</u>	RESPONSE filed by Harold Edward Rutila, IV re: <u>15</u> Unopposed MOTION to Extend Time Initial Disclosure Deadline (Rutila, Harold) (Entered: 12/16/2016)
12/21/2016	<u>17</u>	ELECTRONIC ORDER granting <u>15</u> Motion to Extend Time. The Court GRANTS Defendants' Unopposed Motion to Extend Initial Disclosure Deadline. Defendants' initial disclosures under Federal Rule of Civil Procedure 26 are now due January 20, 2017. (Ordered by Judge Jane J Boyle on 12/21/2016) (chmb) (Entered: 12/21/2016)
12/21/2016	<u>18</u>	SCHEDULING ORDER: Jury Trial set for 12/4/2017 before Judge Jane J Boyle. Joinder of Parties due by 3/9/2017. Amended Pleadings due by 3/9/2017. Motions due by 9/5/2017. Discovery due by 8/7/2017. Deadline for mediation is on or before 7/7/2017. Pretrial Order due by 11/20/2017. Pretrial Materials due by 11/20/2017. Pretrial Conference set for 12/1/2017 10:00 AM before Judge Jane J Boyle. (Ordered by Judge Jane J Boyle on 12/21/2016) (epm) (Entered: 12/21/2016)
12/30/2016	<u>19</u>	First MOTION to Compel <i>Vaughn Index of Withholding</i> , First MOTION to Expedite <i>Deadlines set forth in Scheduling Order</i> (), First MOTION to Vacate <u>18</u> Scheduling Order, 17 Order on Motion to Extend Time, <i>Request First Amended Complaint due by 2/1/17, Vaughn by 3/15/17, Mediation by 3/27/17, Defendant's MSJ by 4/10/17, Response/Cross-Motion by 5/15/17, Defendant's Reply by 6/5/17, Plaintiff's Reply (Cross-Motion) by 06/26/17.</i> filed by Harold Edward Rutila, IV with Brief/Memorandum in Support. (Attachments: # <u>1</u> Proposed Order) (Rutila, Harold) (Entered: 12/30/2016)
01/04/2017	<u>20</u>	RESPONSE filed by Federal Aviation Administration, United States Department of Transportation re: <u>19</u> First MOTION to Compel <i>Vaughn Index of Withholding</i> First MOTION to Expedite <i>Deadlines set forth in Scheduling Order</i> First MOTION to Vacate <u>18</u> Scheduling Order, 17 Order on Motion to Extend Time, <i>Request First Amended Complaint due by 2/1/17, Vaughn by 3/15/17, Mediation by 3/27/17, Defendant's MSJ by 4/10/17, Response/Cross-Motion by 5/15/17, Defen</i> (Attachments: # <u>1</u> Exhibit(s), # <u>2</u> Exhibit(s), # <u>3</u> Exhibit(s)) (Cherry-DOJ, Marti) (Entered: 01/04/2017)
01/11/2017	<u>21</u>	REPLY filed by Harold Edward Rutila, IV re: <u>19</u> First MOTION to Compel <i>Vaughn Index of Withholding</i> First MOTION to Expedite <i>Deadlines set forth in Scheduling Order</i> First MOTION to Vacate <u>18</u> Scheduling Order, 17 Order on Motion to Extend Time, <i>Request First Amended Complaint due by 2/1/17, Vaughn by 3/15/17, Mediation by 3/27/17, Defendant's MSJ by 4/10/17, Response/Cross-Motion by 5/15/17, Defen</i> (Rutila, Harold) (Entered: 01/11/2017)
01/12/2017	<u>22</u>	ORDER REFERRING MOTION: Before the Court is Plaintiff's Motion to Vacate, Set, Expedite Deadlines; Compel Vaughn Index. Doc. <u>19</u> . The Court refers this motion to United States Magistrate Judge Renee H. Toliver for hearing, if necessary, and determination or recommendation to this Court. (Ordered by Judge Jane J. Boyle on 1/12/2017) (sss) (Entered: 01/13/2017)
01/17/2017	<u>23</u>	Initial Disclosures filed by Harold Edward Rutila, IV re: 17 Order on Motion to Extend Time. (Rutila, Harold) Modified text on 1/18/2017 (rekc). (Entered: 01/17/2017)
01/20/2017	<u>24</u>	Designation of Mediator by Federal Aviation Administration, United States Department of Transportation. (Cherry-DOJ, Marti) (Entered: 01/20/2017)
01/23/2017	<u>25</u>	MEDIATION ORDER. The court appoints Paul L Salzberger as mediator. <u>Alternative Dispute Resolution Summary</u> form provided electronically or by US Mail as appropriate. The Court ORDERS the parties to complete mediation no later than 7/7/2017. (Ordered by Judge Jane J. Boyle on 1/23/2017) (twd) (Entered: 01/24/2017)
03/09/2017	<u>26</u>	AMENDED COMPLAINT FOR INJUNCTIVE RELIEF against All Defendants filed by Harold Edward Rutila, IV. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms,

		instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: Attorney Information – Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Attachments: # <u>1</u> Proposed Amendment Proposed Amendment & Exhibit 1 – Second Amended Complaint for Injunctive Relief, # <u>2</u> Exhibit(s) Exhibit 2 – Exhibits to Second Amended Complaint, # <u>3</u> Exhibit(s) Exhibit 3 – Communications between Parties) (Rutila, Harold) (Entered: 03/09/2017)
03/23/2017	<u>27</u>	ANSWER to <u>26</u> Amended Complaint filed by Federal Aviation Administration, United States Department of Transportation. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: Attorney Information – Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Cherry–DOJ, Marti) (Entered: 03/23/2017)
04/04/2017	<u>28</u>	First MOTION to Vacate <u>18</u> Scheduling Order, <u>25</u> Order Referring Case to ADR, <i>Vacate Mediation</i> filed by Harold Edward Rutila, IV (Rutila, Harold) (Entered: 04/04/2017)
04/06/2017	<u>29</u>	ADDITIONAL ATTACHMENTS to <u>28</u> Motion to Vacate by Plaintiff Harold Edward Rutila, IV. (Rutila, Harold) (Entered: 04/06/2017)
04/06/2017	<u>30</u>	Designation of Experts by Harold Edward Rutila, IV. (Rutila, Harold) (Entered: 04/06/2017)
04/20/2017	<u>31</u>	RESPONSE filed by Federal Aviation Administration, United States Department of Transportation re: <u>28</u> First MOTION to Vacate <u>18</u> Scheduling Order, <u>25</u> Order Referring Case to ADR, <i>Vacate Mediation</i> (Attachments: # <u>1</u> Proposed Order) (Cherry–DOJ, Marti) (Entered: 04/20/2017)
04/20/2017	<u>32</u>	ELECTRONIC ORDER denying <u>28</u> Motion to Vacate. The parties are ORDERED to complete the mediation process as scheduled. (Ordered by Judge Jane J. Boyle on 4/20/2017) (Judge Jane J. Boyle) (Entered: 04/20/2017)
05/09/2017	<u>33</u>	ELECTRONIC ORDER finding as moot <u>19</u> Motion to Compel; finding as moot <u>19</u> Motion to Expedite; finding as moot <u>19</u> Motion to Vacate. Plaintiff's Motion is DENIED as moot given the events that have transpired in the case since the filing of the motion. Plaintiff is DIRECTED to seek leave of Court prior to filing another motion to compel a Vaughn index. (Ordered by Magistrate Judge Renee Harris Toliver on 5/9/2017) (chmb) (Entered: 05/09/2017)
06/28/2017	<u>34</u>	Alternative Dispute Resolution Summary filed by Paul L Salzberger. Attorneys in Attendance: Mary Cherry. Prv Fee: \$ 1000.00. Outcome of ADR: Parties were unable to reach a settlement. (Salzberger, Paul) (Entered: 06/28/2017)
07/04/2017	<u>35</u>	THIRD AMENDED COMPLAINT for <i>Injunctive Relief</i> against Federal Aviation Administration, United States Department of Transportation filed by Harold Edward Rutila, IV. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: Attorney Information – Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Attachments: # <u>1</u> Proposed Amendment Third Amended Complaint for Injunctive Relief, # <u>2</u> Exhibit(s) 1–78) (Rutila, Harold) (Entered: 07/04/2017)
07/12/2017	<u>36</u>	MOTION for Extension of Time to File Response/Reply to <u>35</u> Amended Complaint,,, MOTION to Stay <i>Deadlines</i> () filed by Federal Aviation Administration, United States Department of Transportation (Cherry–DOJ, Mary) (Entered: 07/12/2017)
07/13/2017	<u>37</u>	RESPONSE AND OBJECTION filed by Harold Edward Rutila, IV re: <u>36</u> MOTION for Extension of Time to File Response/Reply to <u>35</u> Amended Complaint, MOTION to Stay <i>Deadlines</i> (Rutila, Harold) (Entered: 07/13/2017)
07/14/2017	<u>38</u>	ORDER granting <u>36</u> Motion to Extend Time to File Response/Reply; granting <u>36</u> Motion to Stay. The Court further ORDERS that Defendants shall answer or otherwise respond to Plaintiff's Third Amended Complaint (Dkt. 35) on or before 8/25/2017. The Court further ORDERS that the remaining deadlines in this case are hereby STAYED.

		(Ordered by Judge Jane J. Boyle on 7/14/2017) (ykp) (Entered: 07/17/2017)
08/25/2017	<u>39</u>	MOTION to Dismiss <i>PLAINTIFF'S THIRD AMENDED COMPLAINT</i> filed by Federal Aviation Administration, United States Department of Transportation (Cherry-DOJ, Mary) (Entered: 08/25/2017)
08/25/2017	<u>40</u>	Brief/Memorandum in Support filed by Federal Aviation Administration, United States Department of Transportation re <u>39</u> MOTION to Dismiss <i>PLAINTIFF'S THIRD AMENDED COMPLAINT</i> (Cherry-DOJ, Mary) (Entered: 08/25/2017)
08/25/2017	<u>41</u>	Appendix in Support filed by Federal Aviation Administration, United States Department of Transportation re <u>40</u> Brief/Memorandum in Support of Motion (Attachments: # <u>1</u> Additional Page(s), # <u>2</u> Additional Page(s), # <u>3</u> Additional Page(s)) (Cherry-DOJ, Mary) (Entered: 08/25/2017)
08/25/2017	<u>42</u>	***DISREGARD, counsel will refile*** ANSWER to <u>35</u> Amended Complaint,,, filed by Federal Aviation Administration, United States Department of Transportation. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: <u>Attorney Information – Bar Membership</u> . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Cherry-DOJ, Mary) Docket text modified on 8/25/2017 (twd). (Entered: 08/25/2017)
08/25/2017	<u>43</u>	ANSWER to <u>35</u> Amended Complaint,,, filed by Federal Aviation Administration, United States Department of Transportation (Cherry-DOJ, Mary) Modified title on 8/28/2017 (awc). (Entered: 08/25/2017)
09/15/2017	<u>44</u>	RESPONSE AND OBJECTION filed by Harold Edward Rutila, IV re: <u>39</u> MOTION to Dismiss <i>PLAINTIFF'S THIRD AMENDED COMPLAINT</i> (Rutila, Harold) (Entered: 09/15/2017)
09/15/2017	<u>45</u>	Appendix in Support filed by Harold Edward Rutila, IV re <u>44</u> Response/Objection to <i>Defendants' Partial Motion to Dismiss</i> (Attachments: # <u>1</u> Exhibit(s) Appendix of Exhibits) (Rutila, Harold) (Entered: 09/15/2017)
09/26/2017	<u>46</u>	Supplemental Document by Harold Edward Rutila, IV as to <u>44</u> Response/Objection <i>Notice of Supplemental Authority, order in similar case..</i> (Attachments: # <u>1</u> Exhibit(s) 1 – Order Terminating Defendants' Motion to Dismiss) (Rutila, Harold) (Entered: 09/26/2017)
09/29/2017	<u>47</u>	REPLY filed by Federal Aviation Administration, United States Department of Transportation re: <u>39</u> MOTION to Dismiss <i>PLAINTIFF'S THIRD AMENDED COMPLAINT</i> (Cherry-DOJ, Mary) (Entered: 09/29/2017)
10/04/2017	<u>48</u>	MOTION to Consolidate Cases filed by Federal Aviation Administration, United States Department of Transportation with Brief/Memorandum in Support. (Cherry-DOJ, Mary) (Entered: 10/04/2017)
10/25/2017	<u>49</u>	RESPONSE AND OBJECTION filed by Harold Edward Rutila, IV re: <u>48</u> MOTION to Consolidate Cases (Rutila, Harold) (Entered: 10/25/2017)
10/30/2017	<u>50</u>	STANDING ORDER OF REFERENCE: This case is hereby referred to U.S. Magistrate Judge Renee H. Toliver for pretrial management. All non-dispositive motions are prospectively referred to the magistrate judge for determination. All case dispositive motions are prospectively referred to the magistrate judge for recommendation. (Ordered by Judge Jane J. Boyle on 10/30/2017) (sss) (Entered: 10/30/2017)
11/03/2017	<u>51</u>	MOTION to Dismiss <i>PLAINTIFF'S FIRST AMENDED COMPLAINT FOR INJUNCTIVE RELIEF</i> filed by Federal Aviation Administration, United States Department of Transportation (Cherry-DOJ, Mary) (Entered: 11/03/2017)
11/03/2017	<u>52</u>	Brief/Memorandum in Support filed by Federal Aviation Administration, United States Department of Transportation re <u>51</u> MOTION to Dismiss <i>PLAINTIFF'S FIRST AMENDED COMPLAINT FOR INJUNCTIVE RELIEF</i> (Cherry-DOJ, Mary) (Entered: 11/03/2017)

11/03/2017	<u>53</u>	Appendix in Support filed by Federal Aviation Administration, United States Department of Transportation re <u>52</u> Brief/Memorandum in Support of Motion (Attachments: # <u>1</u> Additional Page(s)) (Cherry-DOJ, Mary) (Entered: 11/03/2017)
11/06/2017	<u>54</u>	***VACATED per <u>56</u> Order*** ELECTRONIC ORDER terminating <u>48</u> Motion to Consolidate Cases. The Motion to Consolidate Cases or Transfer is terminated as moot in light of Judge Godbey's October 12, 2017 order in Case No. 16-CV-3433 transferring this case to the docket of Judge Boyle. (Ordered by Magistrate Judge Renee Harris Toliver on 11/6/2017) (chmb) Modified on 3/14/2018 (sss). (Entered: 11/06/2017)
11/24/2017	<u>55</u>	RESPONSE AND OBJECTION filed by Harold Edward Rutila, IV re: <u>51</u> MOTION to Dismiss <i>PLAINTIFF'S FIRST AMENDED COMPLAINT FOR INJUNCTIVE RELIEF</i> (Rutila, Harold) (Entered: 11/24/2017)
03/14/2018	<u>56</u>	ORDER: The Order terminating as moot Defendants' motion to consolidate, Doc. 54 , is VACATED. Defendants' motion to consolidate, filed in case number 3:16-CV-2911-B-BK, Doc. 48 , is GRANTED. Case number 3:16-CV-2911-B-BK is hereby CONSOLIDATED with case number 3:16-CV-3433-B-BK. All subsequent pleadings shall be filed under case number 3:16-CV-2911-B-BK, the first-filed case, and all pleadings filed in either case since October 12, 2017 (the date of transfer) shall be deemed filed in the consolidated case. Further, for the reasons advanced in Defendants' Motion to Set Aside Default, filed in case number 3:16-CV-3433-B-BK, Doc. 33, that motion is GRANTED. The Clerk's Entry of Default on 11/27/2018, in case number 3:16-CV-3433-B-BK, is hereby set aside. Finally, based on the foregoing, the Defendants' Motion for Leave to Re-file Defendants' Motion to Dismiss Plaintiff's First Amended Complaint, filed in case number 3:16-CV-3433-B-BK, Doc. 34, is TERMINATED AS MOOT. (Ordered by Magistrate Judge Renee Harris Toliver on 3/14/2018) (sss) (Entered: 03/14/2018)
04/10/2018	<u>57</u>	NOTICE of Change of Address for Pro Se litigant Harold Edward Rutila, IV. New address: 12498 Woodhull Lndg, Fenton, MI 48430. (Rutila, Harold) (Entered: 04/10/2018)
04/10/2018	<u>58</u>	Unopposed MOTION for Leave to File Amended Answer to Defendants' Motion to Dismiss, <i>Dkt. 51</i> , filed by Harold Edward Rutila, IV (Rutila, Harold) (Entered: 04/10/2018)
07/02/2018	<u>59</u>	NOTICE of <i>Pending Motion for Leave</i> , <i>Dkt. 58</i> , filed by Harold Edward Rutila, IV (Rutila, Harold) (Entered: 07/02/2018)
12/28/2018	<u>60</u>	Order Granting Government's Omnibus Motion for Stay of Cases in Light of Lapse of Appropriations (Ordered by Chief Judge Barbara M.G. Lynn on 12/28/2018) (Attachments: # <u>1</u> Government's Omnibus Motion for Stay) (lrl) (Entered: 12/28/2018)